

Message Text

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ACTION VO-03

INFO OCT-01 EUR-12 ISO-00 SCA-01 DHA-02 ORM-02 H-01 INSE-00

JUSE-00 /022 W

-----170820Z 075872 /11

P R 170621Z MAR 77

FM AMEMBASSY SOFIA

TO SECSTATE WASHDC PRIORITY 2566

INFO AMEMBASSY BELGRADE

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY MOSCOW

AMEMBASSY PRAGUE

AMEMBASSY WARSAW

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E.O. 11652: NA

TAGS: SHUM, CGEN, PFOR, CSCE, BU

SUBJECT: ISSUANCE OF VISAS IN DIVIDED FAMILY AND OTHER HUMANITARIAN
CASES

REF: SOFIA 0051, 0052, 0469, 0470, 0471, 0472

1. AS DEPT AWARE FROM RECENT EMBASSY MESSAGES, BULGARIAN GOVT (NO DOUBT IN PREPARATION FOR BELGRADE CSCE CONFERENCE LATER THIS YEAR) IN RECENT WEEKS HAS BEGUN RAPID APPROVAL OF DIVIDED FAMILY AND OTHER HUMANITARIAN CASES WHICH HAD LONG BEEN ON OUR BOOKS AND WHICH HAD BEEN SUBJECT OF REPEATED DIPLOMATIC REPRESENTATIONS BY THIS EMBASSY AS WELL AS BY SENIOR OFFICIALS OF USG. IN FACT, WE ARE NOW ENTERING A PHASE OF OPERATION WHERE THE BULGARIAN RELATIVES OF AMCITS (MANY OF WHOM HAVE BEEN SUBJECT OF CONGRESSIONAL INTEREST) VERY OFTEN HAVE PASSPORTS AND EXIT PERMITS BUT WE, FOR OUR PART, ARE UNABLE TO ISSUE NRVISAS BECAUSE OF BACKLGS IN INS PROCESSING STATESIDE.

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WITH ASSISTANCE OF DEPT, EMBASSY HAS MADE STRENUOUS EFFORTS TO CONTACT SPONSORS IN US TO SPEED MATTERS THROUGH. NEVERTHELESS, GIVEN THE NEW MODE OF BEHAVIOR OF GOB ON DIVIDED FAMILY CASES, INCJASINGLY WE FIND OURSELVES IN THE RATHER IRONIC POSITION OF HAVING DIVIDED FAMILY CASES ON OUR HANDS WHERE GOB HAS COMPLETED ITS ACTION, BUT WE ARE UNABLE TO ISSUE VISAS. IN SOME CASES, AMCIT SPONSORS

REPORT THEY HAVE BEEN TOLD BY INS THAT APPROVAL OF RELATIVE VISA PETITION WILL TAKE SIX MONTHS TO ONE YEAR.

2. EMBASSY OF COURSE WELL UNDERSTANDS MANY-SIDED PRESSURES CONFRONTING INS. BUT INABILITY TO TAKE PROMPT ACTION IN THESE LONG-STANDING (OR IN A FEW CASES NEW BUT EQUALLY IMPORTANT AND POLITICALLY SENSITIVE) DIVIDED FAMILY CASES PRESENTS SEVERE PROBLEMS. EXIT PERMISSIONS GRANTED BY GOB BEAR EXPIRATION DATES, NORMALLY ABOUT FOUR MONTHS FROM THE TIME DELIVERED TO APPLICANT. IF APPLICANT HAS NOT DEPARTED WITHIN THAT TIME, ENTIRE PROCEDURE MUST BEGIN DE NOVO. THERE IS, IN ADDITION, THE NEW ANGUISH THE APPLICANT SUFFERS AND THE POTENTIAL POLITICAL DAMAGE TO THE UNITED STATES WHEN BULGARIA (PERHAPS AFTER YEARS OF STONEWALLING) ALLOWS REUNIFICATION OF A FAMILY AND WE ARE THEN UNABLE TO ISSUE A VISA WITHIN A REASONABLY SHORT PERIOD OF TIME.

3. QUESTION MAY FAIRLY BE ASKED WHY SPONSOR HAS NOT PREVIOUSLY FILED VISA PETITION. FACT IS, MANY SPONSORS BELIEVED (AS IT TURNED OUT, INCORRECTLY) THAT GOB WAS MORE LIKELY TO ISSUE PERMISSION TO TRAVEL FOR VISIT THAN FOR EMIGRATION, THUS HAD PREPARED INVITATION AND AFFIDAVIT FOR VISIT, EVEN THOUGH FULLY INTENDING THAT RELATIVES REMAIN IN US. THAT SPONSORS WERE INCORRECT IN THIS JUDGEMENT, OR TARDY IN FILING PETITION FOR SOME OTHER REASON, SHOULD NOT PENALIZE AN APPLICANT WHO HAS RESISTED ALL COMMUNIST PRESSURES TO DESIST AND FINALLY HAS SECURED GOB PERMISSION TO TRAVEL.

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4. APPEARS THAT TWO COURSES ARE OPEN TO US IN SUCH CASES: (A) ISSUE VISITORS' VISAS IN FULL KNOWLEDGE THAT APPLICANT IS IN REALITY AN INTENDING IMMIGRANT AND WILL ATTEMPT TO ADJUST STATUS IN US. OR (B) ESTABLISH SOME PROCEDURE BETWEEN STATE AND JUSTICE/INS WHEREBY THESE DIVIDED FAMILY CASES WILL BE ACCORDED A SPECIAL PRIORITY FOR MOST EXPEDITIOUS PROCESSING OF THE RELATIVE'S VISA PETITION SO THAT EMBASSY CAN ISSUE IMMIGRANT VISAS WITH RELATIVE PROMPTNESS. SUCH A PROCEDURE WOULD INVOLVE EMBASSY CABLEING DATA TO DEPT WHICH WOULD THEN LIAISE WITH JUSTICE/INS FOR RAPID PETITION APPROVAL AND CABLED ADVICE TO EMBASSY.

5. ACTION REQUESTED: DEPT LIAISON AT APPROPRIATE LEVEL WITH DEPT OF JUSTICE AND INS, FOLLOWED BY INSTRUCTIONS TO EMBASSY. EMBASSY IS STRONGLY OF VIEW THAT HUMANITARIAN AND POLITICAL REQUIREMENTS MAKE PROMPT REMEDIAL ACTION NECESSARY. IT IS NOT AT ALL BEYOND THE BOUNDS OF

POSSIBILITY THAT THE "WINDOW" NOW OPEN WILL BE SLAMMED
SHUT AFTER BELGRADE.
HERZ

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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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